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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JEFFREY STUMP,  
  
Defendant.

No. CR 05-453-MJJ

STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING DATE FOR  
STATUS HEARING

Date: October 6, 2005

Time: 2:00 p.m.

Court: Hon. Martin J. Jenkins  
U.S. District Court

This matter is currently scheduled for a status and setting hearing on Thursday, October 6, 2005 at 2:00. The parties jointly request that this hearing date be continued to the new date of November 3, 2005, at 2:00 p.m., for the reasons set forth below.

Since our last appearance, the government has continued to provide discovery to defendant including, most recently, over 300 pages of discovery that were provided yesterday afternoon on a CD-rom. Some of the discovery provided was in response to a request from defendant for material that might support a possible motion to suppress in this case. At this time, it is not going to be possible for defendant and his counsel to review all of the discovery that has been provided and assess the viability of possible motions in this case prior to the hearing date on October 6. In addition, defendant has identified some additional investigation that will be necessary based on the discovery recently provided.

In addition, the government has raised with defense counsel the possibility that new charges could be added through a superseding indictment. Defendant and the government agree that a

1 brief period of additional time would be appropriate to enable the parties to address the prospect of  
2 these new charges and to consider the possibility of reaching a negotiated disposition to the current  
3 indictment.

4 Finally, government counsel will be unavailable on Friday, October 14 and on Thursday,  
5 October 20, and no calendar is scheduled for the week of October 24. For these reasons, and to  
6 afford defendant adequate time for investigation and preparation as described above, the parties  
7 request that the matter be continued to Thursday, November 3, 2005, at 2:00 p.m. Mr. Stump is out  
8 of custody and has no objection to the proposed continuance.

9 The parties further stipulate and agree that the time between October 6 and November 3,  
10 2005, should be excluded for purposes of the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) and  
11 (B), in order to afford defense counsel adequate time to review discovery and conduct  
12 investigation prior to the parties' next appearance. Mr. Stump is out of custody and has no  
13 objection to the proposed continuance..

14 SO STIPULATED.

15 Dated: October 4, 2005 /S/

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HILARY A. FOX  
Attorney for Defendant Jeffrey Stump

17 SO STIPULATED.

18  
19 Dated: October 4, 2005 /S/

20 \_\_\_\_\_  
CANDICE JAN  
Assistant United States Attorney


21  
22  
23 ORDER

24 Good cause appearing therefore, and pursuant to defendant Jeffrey Stump's stipulation, it is  
25 hereby ORDERED that the status hearing currently scheduled for October 6, 2005, at 2:00 p.m. is  
26 vacated and re-scheduled for Thursday, November 3, 2005, at 2:00 p.m. It is further ORDERED

1 that the time between October 6 and November 3, 2005, shall be excluded for purposes of the  
2 Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A) and (B). The Court finds, based on the stipulation of  
3 the parties, that the ends of justice served by this exclusion of time outweigh the interests of the  
4 public and the defendant in a speedy trial.

5 IT IS SO ORDERED.

6 Dated: October 5, 2005

  
MARTIN J. JENKINS  
United States District Court